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**General:** Mr. Leiby is a graduate of the University of Miami School of Law (J.D., 1973) and is of counsel to Malka & Kravitz, P.A. He began his law practice in construction law in 1973. He founded and was the first chair of the Construction Law Committee of the Florida Bar Real Property Section (1976-1994). He was one of nine members of the original Florida Bar Construction Law Certification Committee appointed in 2004, later chaired that committee, and was in the first class of Florida Bar Board Certified Construction Lawyers in 2005.

He is admitted to the Florida State Courts, United States Supreme Court, Federal Eleventh Circuit Court of Appeals, and U.S. Southern and Middle District Courts of Florida.

**Performance:** Mr. Leiby has served as an advocate, mediator, arbitrator, insurance valuation umpire, and as a special master for the Circuit Court in Miami-Dade County. He has served as an advocate in construction disputes (pre-litigation negotiation, mediation, litigation and arbitration) since 1973. He has arbitrated disputes in Florida, Pennsylvania, and Alabama, the largest involving claims of eight figures. He has written and presented several appeals before the Florida appellate courts. He has drafted construction contracts and documents for contract administration for local governments, developers, contractors, and subcontractors. He has handled disputes involving bid protests, contract nonperformance, claims for interference and stacking, prompt payment interest claims, claims for delay, changed conditions, claims for extra, claims for equitable adjustment, design defects, construction defects, contract document interpretation, suretyship, warranty claims, claims arising out of value engineering, claims for attorney fees, and licensing claims.

**Writing and Teaching:** Mr. Leiby has authored:

The Florida Construction Law Manual, originally published by Shepards/McGraw-Hill (1981), now published annually by Thomson-Reuters (West Group), which text is also on-line as a part of the Westlaw Florida Practice Series (Volume 8).

The Florida Construction Lien Law and Payment Bond Primer, (1999, 2003, 2008). The chapters on construction contracts, construction liens, and payment bonds in The Contractor's Manual (2003 and updated) published by Associated Builders and Contractors, which is a listed text for Florida state construction industry licensing examinations;

"Licensing for Construction: A Legal Mechanism of Control" in Comparative Studies in Construction Law: The Sweet Lectures, published by Construction Law Press, London, UK (1996);

"1998 Changes to Public Works Bonds and Construction Lien Law", Florida Bar Journal (1999);

"Contractual Indemnity in Construction for Your Own Negligence – What Year Is It?," Florida Bar Journal, (July/Aug 2003);

"How to Comply with Chapter 558 Florida Statutes: Current Challenges and Future Changes," Florida Bar Journal, (Feb 2009) with co-author Steven B. Lesser.

"The Interaction Between Arbitration & Construction Lien Enforcement", AAA Dispute Resolution Journal, Volume 66, Number 2 (2011).

He serves as an adjunct professor teaching construction law at the Florida International University College of Law since 2009.

He has taught and lectured on construction law topics for the ABA Forum Committee on Construction, the American Arbitration Association, the Florida Bar, the Construction Specifications Institute (National Convention), the Tile Contractors Association (National Convention), local bar associations, and several national, state, and local construction industry trade associations. He teaches continuing education courses for Florida state licensed contractors. He was adjunct faculty with the Florida International University Department of Construction Management teaching basic construction law, construction case studies, and construction claims in the 1990's prior to teaching at the law school.

He was a member of the American Arbitration Association committee to develop training for construction arbitrators and was one of the arbitrator-training faculty teaching Construction Arbitration I (basic construction arbitration), and Construction Arbitration II (advanced case management techniques) (1996-1999).

Mr. Leiby completed the Dispute Review Board Foundation training courses: Administration and Practice, and Advanced Chairing

**Professional Organizations:** He is a fellow in the College of Commercial Arbitrators. He is a member of the Association for Conflict Resolution, International Institute for Conflict Prevention and Resolution, Dispute Review Board Foundation, the ABA Forum Committee on the Construction Industry, ABA Alternate Dispute Resolution Section, Florida Bar Construction Law Committee, Florida Bar Alternate Dispute Resolution Section, American Arbitration Association Large Complex Case Panel, AAA Construction Mediation Panel, Broward County Construction Law Committee, Chair of Broward County Bar Assn. ADR Section, and Miami International Arbitration Society.

**Awards and Recognition:** Mr. Leiby was awarded:

Lifetime Achievement Award from the Florida Bar Construction Law Committee, 2008;

American Subcontractors Association's Leonard A. Weiss Legislative Achievement Award, 1988; and

Excellence in Construction Education Award from the Florida Institute of Technology Construction Industry Advisory Board, 2005.

He has been recognized for the following distinctions in construction law by peer review: Martindale-Hubbell Register of Preeminent Attorneys; Woodard/White's Best Lawyers in America; Chambers USA America's Leading Business Lawyers; List of Top Lawyers in South Florida by South Florida Legal Guide; the International Who's Who of Construction Lawyers, AVVO "10" rating, and others.